

# United States Bankruptcy Court

## Middle District of Tennessee

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): <b>McCullough Spinal Care, PC</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all) <b>26-3740672</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)
Street Address of Debtor (No. and Street, City, and State): <b>260 West Main Street, Suite 211</b> <b>Hendersonville, TN</b> <div style="text-align: right;">ZIP Code <b>37075</b></div>	Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div>
County of Residence or of the Principal Place of Business: <b>Sumner</b>	County of Residence or of the Principal Place of Business:
Mailing Address of Debtor (if different from street address): <b>979 Wyndham Drive</b> <b>Gallatin, TN</b> <div style="text-align: right;">ZIP Code <b>37066</b></div>	Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div>
Location of Principal Assets of Business Debtor (if different from street address above):	

<b>Type of Debtor</b> (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box) <input checked="" type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Chapter 15 Debtors</b> Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:	<b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Nature of Debts</b> (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts.

<b>Filing Fee</b> (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input checked="" type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.	THIS SPACE IS FOR COURT USE ONLY
<b>Estimated Number of Creditors</b> <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000	
<b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input checked="" type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	
<b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**McCullough Spinal Care, PC****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X**

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**McCullough Spinal Care, PC****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ Joseph P. Rusnak  
Signature of Attorney for Debtor(s)

Joseph P. Rusnak 012464  
Printed Name of Attorney for Debtor(s)

Tune, Entekin & White, P.C.  
Firm Name

**UBS Tower, Suite 1700**  
**315 Deaderick Street**  
**Nashville, TN 37238**

\_\_\_\_\_  
Address

**Email: JRusnak@tewlawfirm.com**  
**(615) 244-2770 Fax: (615) 244-2778**

\_\_\_\_\_  
Telephone Number

**February 2, 2015**

\_\_\_\_\_  
Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Edward F. McCullough  
Signature of Authorized Individual

Edward F. McCullough  
Printed Name of Authorized Individual

**President**  
Title of Authorized Individual

**February 2, 2015**

\_\_\_\_\_  
Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_

\_\_\_\_\_  
Date

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court  
Middle District of Tennessee**

In re McCullough Spinal Care, PC,  
Debtor

Case No. \_\_\_\_\_

Chapter 11

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>Edward F. McCullough</b> <b>979 Wyndham Drive</b> <b>Gallatin, TN 37066</b>	<b>Common</b>	<b>40%</b>	<b>Equity</b>
<b>Lisa Jacobson McCullough</b> <b>979 Wyndham Drive</b> <b>Gallatin, TN 37066</b>	<b>Common</b>	<b>60%</b>	<b>Equity</b>

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date February 2, 2015

Signature /s/ Edward F. McCullough  
**Edward F. McCullough**  
**President**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C §§ 152 and 3571.

**United States Bankruptcy Court  
Middle District of Tennessee**

In re **McCullough Spinal Care, PC**

Debtor(s)

Case No.

Chapter

**11**

**VERIFICATION OF CREDITOR MATRIX**

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **February 2, 2015**

**/s/ Edward F. McCullough**

**Edward F. McCullough/President**

Signer/Title

MCCULLOUGH SPINAL CARE, PC  
979 WYNDHAM DRIVE  
GALLATIN TN 37066

JOSEPH P. RUSNAK  
TUNE, ENTREKIN & WHITE, P.C.  
UBS TOWER, SUITE 1700  
315 DEADERICK STREET  
NASHVILLE, TN 37238

ANGEL PEST PROTECTION  
P.O. BOX 425  
GOODLETTSVILLE TN 37070

AT&T ADVERTISING  
C/O FOCUS RECEIVABLES MANAGEMENT  
1130 NORTHCHASE PKWY., SUITE 150  
MARIETTA GA 30067

BLUE RIDGE XRAY  
120 VISTA BOULEVARD  
ARDEN NC 28704

BRUCE N. OLDHAM, ESQ.  
109 PUBLIC SQUARE  
GALLATIN TN 37066

CAN CAPITAL  
300 LEDGEWOOD PLACE  
SUITE 301  
ROCKLAND MA 02370

CASH CENTRAL OF TENNESSEE, LLC  
405 CEDAR GROVE ROAD  
GLASGOW KY 42141

CLEAR CAGE  
7028 WEST WATERS AVE.  
SUITE 399  
TAMPA FL 33634-2292

CLUB REDUCE  
715 EAST 390 S  
SUITE107  
SALT LAKE CITY UT 84107

COMCAST  
P.O. BOX 140400  
NASHVILLE TN 37214-0400

COVERALL NASHVILLE  
9101 LBJ FRWY  
#700  
DALLAS TX 75243

CROWDER CONSTRUCTION  
220 FIELDSTONE LANE  
WESTMORELAND TN 37186

DAN E. HUFSTUTTER, ESQ.  
1211 SIXTEENTH AVENUE SOUTH  
NASHVILLE TN 37212

DAN E. HUFSTUTTER, ESQ.  
1211 SIXTEENTH AVENUE SOUTH  
NASHVILLE TN 37212

DEPARTMENT OF THE TREASURY  
P.O. BOX 1686  
BIRMINGHAM AL 35201-1686

DESHA LAW  
1106 18TH AVENUE SOUTH  
NASHVILLE TN 37212

ERS EQUIPMENT SERVICE RECOVERY  
P.O. BOX 9062  
ADDISON TX 75001-9062

GANNETT COMPANY, INC.  
1100 BROADWAY  
NASHVILLE TN 37203

INTERNAL REVENUE SERVICE  
P.O. BOX 21126  
PHILADELPHIA PA 19114

INTERNAL REVENUE SERVICE  
P.O. BOX 87  
MEMPHIS TN 38101

ITEX  
3326 160TH AVE., SE  
SUITE 100  
BELLEVUE WA 98008-3418

MED SAFE WASTE  
P.O. BOX 291705  
NASHVILLE TN 37229

MIKE ELMORE  
405 CEDAR GROVE ROAD  
GLASGOW KY 42141

MTCN  
P.O. BOX 677589  
DALLAS TX 75267

MXI MEDICAL X-RAY IMAGING  
430 SOUTH MAIN STREET  
FRANKLIN KY 42134

MXR MERRY X-RAY SOURCE ONE  
4444 VIEWRIDGE AVE.  
SUITE A  
SAN DIEGO CA 92123

NES  
1214  
CHURCH STREET  
NASHVILLE TN 37246

PORTER VISION  
4847 HOPYARD ROAD  
4-258  
PLEASANTON CA 94588

QUILL.COM  
P.O. BOX 37600  
PHILADELPHIA PA 19101-0600

SUMNER BANK & TRUST  
780 BROWNS LANE  
GALLATIN TN 37066

SUMNER COUNTY PROPERTY ASSESSOR  
355 NORTH BELVEDERE  
ROOM 206  
GALLATIN TN 37066

TENNESSEE DEPARTMENT OF REVENUE  
P.O. BOX 190665  
NASHVILLE TN 37219

TENNESSEE DEPT. ENVIRONMENTAL  
WRS TN TOWER, TENTH FLOOR  
312 ROSA L. PARKS AVE.  
NASHVILLE TN 37243

TENNESSEE DEPT. OF WORKFORCE & LABOR  
220 FRENCH LANDING DRIVE  
NASHVILLE TN 37243



**United States Bankruptcy Court  
Middle District of Tennessee**

In re **McCullough Spinal Care, PC**

Debtor(s)

Case No.  
Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **McCullough Spinal Care, PC** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**February 2, 2015**

Date

**/s/ Joseph P. Rusnak**

**Joseph P. Rusnak**

Signature of Attorney or Litigant

Counsel for **McCullough Spinal Care, PC**

**Tune, Entrekin & White, P.C.**

**UBS Tower, Suite 1700**

**315 Deaderick Street**

**Nashville, TN 37238**

**(615) 244-2770 Fax:(615) 244-2778**

**JRusnak@tewlawfirm.com**